

8, 2017, and my objection is not intended to question the credentials of Mr. Engel in any way. However, at that time, no member had sufficient opportunity to pose questions to Mr. Engel concerning the May 1, 2017, OLC opinion. I believe each Member of my committee and of the Senate should have the benefit of his views on the opinion as they consider his nomination to lead the office that created it.

The opinion erroneously states that individual Members of Congress are not constitutionally authorized to conduct oversight. It creates a false distinction between oversight and what it calls "nonoversight" requests, and it relegates requests from individual Members for information from the Executive branch to Freedom of Information Act requests. I have written a letter to the President requesting that the OLC opinion be rescinded. The Executive branch should properly recognize that individual Members of Congress have a constitutional role in seeking information from the Executive branch and should work to voluntarily accommodate those requests.

My June 12, 2017, letter to Mr. Engel asks him several questions about the opinion, including whether the opinion met the OLC's own internal standards requiring impartial analysis, whether individual Members of Congress are "authorized" to seek information from the Executive branch, and what level of deference the Executive branch should provide to individual Member requests. I ask unanimous consent that it be printed in the RECORD following my remarks. I look forward to Mr. Engel's responses.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 12, 2017.

STEVEN A. ENGEL,
Care of the Office of Legislative Affairs, United States Department of Justice, Washington, DC.

DEAR MR. ENGEL: recently, the Committee obtained a copy of a May 1, 2017, Office of Legal Counsel (OLC) opinion entitled "Authority of Individual Members of Congress to Conduct Oversight of the Executive Branch." That opinion asserts that individual Members of Congress in fact do not have that authority. Specifically, the opinion states, quite remarkably, that individual Members of Congress are not Constitutionally authorized to request information from the Executive Branch. It further states that requests from non-Chairmen essentially are subject to the same level of deference as a request submitted from a private, unelected member of the public pursuant to the Freedom of Information Act (FOIA).

As you know, the Constitution imposes significant responsibilities on each and every Member of Congress that require them to make informed decisions and cast votes in the best interests of their constituents on a vast array of matters. Those responsibilities in many instances require that the Members have access to Executive Branch information. The OLC opinion did not entertain this and other key points and did not attempt to address the significant and dangerous implications it creates for the separation of pow-

ers, bipartisan congressional oversight, transparency in government, and accountability to the American people. Your views on this opinion, its incomplete analysis, and its highly problematic conclusions are very important for "individual Members" of the United States Senate to carefully weigh as they consider your nomination.

Thus, please respond to the following questions by June 26, 2017. Please number your answers according to their corresponding questions.

1. Are you familiar with the May 1, 2017 OLC opinion?

2. In your view, does this opinion meet the standards described in OLC guidance that require impartial analysis of competing authorities or authorities that may challenge an opinion's conclusions? If so, can you please point to the portion of the opinion which you believe fully discusses contrary authority or arguments for non-Chairmen's need for information from the Executive Branch to carry out their constitutional function?

3. Do you believe that individual Members of Congress, who are not Chairmen of committees, are "authorized" to seek information from the Executive Branch to inform their participation in the legislative powers of Congress? Do you believe they are authorized by the Constitution? Why or why not? Do you believe that they are authorized by Congress? Why or why not?

4. In your experience, what percentage of congressional requests for information are answered by the Executive Branch on a voluntary basis?

5. In your view, what is an appropriate reason for withholding information requested by an individual Member of Congress?

6. In your view, does the Executive Branch have any Constitutional responsibility to respond to requests for information from individual Members of Congress as part of a process of accommodation in order to promote comity between the branches? If not, why not?

7. Is a request from an individual, elected Member of Congress entitled to any greater weight than a FOIA request, given the Member's broad Constitutionally mandated legislative responsibilities? Why or why not?

Thank you for your cooperation in this important matter. Should you have questions, please contact DeLisa Lay of my Committee staff.

Sincerely,

CHARLES E. GRASSLEY,
Chairman, Committee on the Judiciary.

ADDITIONAL STATEMENTS

TRIBUTE TO LARRY VOYLES

• Mr. MCCAIN. Mr. President, I come to the floor today to congratulate Larry Voyles, the former executive director of the Arizona Game and Fish Department, for his 40 years of dedicated service to the State of Arizona and the Nation.

Larry recently retired from the helm of my home State's wildlife management agency. He leaves with a litany of accolades and achievements that underscore a remarkable career. During his time at the department, Larry also served in a variety of national posts that advanced Federal policies important to outdoor sports and wildlife conservation, including as president of the Association of Fish and Wildlife Agencies.

Larry first began at the department as a district manager and eventually ascended to become the agency's top training officer and later a regional director before being selected by the Arizona Game and Fish Commission to serve as the executive director for the past 8 years.

Faced with daunting challenges like regional drought and catastrophic wildfires, Larry proved time and again that the department understands how to care for the land and the large variety of animal life in the Grand Canyon State. Larry also knows the importance of safeguarding a State's right to manage wildlife populations without undue interference from the Federal Government, and he remains a tireless advocate for sportsmen community and those pursuing meaningful wildlife conservation.

I thank Larry, my friend, for his honorable service at the Arizona Department of Game and Fish and wish him the best in his future endeavors.●

TRIBUTE TO DARYL DELABBIO

• Mr. PETERS. Mr. President, today I wish to mark the distinguished 40-year public service career of Daryl Delabbio of Kent County, MI. Mr. Delabbio is widely regarded as one of the Nation's preeminent municipal managers, helping lead his region to growth and prosperity with an unwavering devotion to financial stability and customer service. Mr. Delabbio is retiring as the administrator of Kent County, a position he has held for the past 19 years. Prior to that role, he served as assistant Kent County administrator for 3 years and as manager of the city of Rockford, MI, for 11 years. Mr. Delabbio began his municipal career in 1977 as administrative coordinator for the city of Rockwood, before joining Garden City, MI, as director of administrative services.

Mr. Delabbio has presided over a county that emerged from Michigan's historic economic downturn as the fastest growing county in the State. His success has stemmed from building important partnerships, while prioritizing excellent citizen services and encouraging diversity and inclusion throughout the county. He has distinguished himself by spearheading many of the successful public and private partnerships that have become the hallmark of Kent County's prosperity. Mr. Delabbio was one of the founders of the Kent County/Grand Rapids Convention and Arena Authority, an organization whose work has greatly advanced the economic development of Kent County. The authority's development of a downtown convention center and sports and entertainment arena have become catalysts for the economic vitality of Grand Rapids, Michigan's second-largest city.

Mr. Delabbio has shown a dedication to lifelong learning by creating various educational programs for county staff and a strong commitment to diversity, equity and inclusion. In 2001, he helped

create the Cultural Insight Council. This self-directed, interdepartmental workgroup is comprised of employees from diverse backgrounds, representing all levels of the organization.

Under his stewardship as county administrator and controller, Kent County has attained the highest possible bond ratings for 19 consecutive years. These triple-A ratings have allowed the county to finance important community projects at the lowest cost possible. Kent County has achieved many milestones under Mr. Delabbio's tenure, from the construction of Millennium Park and the Kent County courthouse, to the expansion of the Kent County jail and the transition of the county Department of Aeronautics to a regional airport authority. Mr. Delabbio has worked with over 60 elected Kent County commissioners and is held in the highest regard by his peers around the country and globe. He has served as a regional vice president of the International City County Management Association, an organization with over 9,000 members worldwide, as well as a board member on many other organizations, including the Grand Valley Metropolitan Council, Experience Grand Rapids, and The Right Place, Inc.

Mr. Delabbio holds a bachelor of science degree in political science and master of management from Aquinas College, as well as a master of public administration from Wayne State University and a Ph.D. from Western Michigan University. He has been an adjunct professor at Davenport University and plans to continue teaching and sharing his expertise with others in his retirement.

Mr. Delabbio's colleagues in Kent County have praised him for work that has embodied what it means to be a public servant: resourceful, thoughtful, creative, and dedicated. Mr. Delabbio's decades of work have set the standard for excellence and integrity for municipal managers throughout the State of Michigan, while mentoring many others who share his passion for public service. Those that know him will also attest that Mr. Delabbio is a humble man of impeccable character.

I am honored to ask my colleagues to join me today in recognizing Daryl Delabbio for his decades of public service to the citizens of Kent County, MI. His selfless, quiet leadership has left behind a legacy of growth and achievement that will benefit them for decades to come.●

REMEMBERING JOHN BERLIN McCANTS

● Mr. SCOTT. Mr. President, I would like to take a moment to recognize and honor the life of a dear friend and a true American hero, Mr. John Berlin McCants of Goose Creek, SC.

He served around the world in the U.S. Army for 22 years before retiring in 1975 and settling in Goose Creek with his wife and children. In 1992, he

was elected to a seat on the Goose Creek City Council where he served for an outstanding 24 years. John was a lifetime leader with a compassionate spirit. He dedicated so much of his life helping those who cannot help themselves. For that, he will be remembered not only as a devoted public servant, but also an inspiration to so many people around South Carolina.

I can tell you that he certainly had a positive impact on my life. John was my political mentor. He taught me the ABCs of being an effective leader and a public servant who remains committed to the greater good of our State and country.

The A stands for personal accountability. John taught me that, as a Member, I should always be accountable for my decisions and choices. B is for backbone. John once told me that we seldom find that Members have backbones, and that it is critical for me to use it when necessary, to stand up for what is right. C is for common sense. He taught me that it is important to not let fear and political ideology deter me from common sense. These great lessons stick with me everyday as I walk the halls of the U.S. Capitol and make decisions on behalf of South Carolina and the entire Nation.

Simply put, John was a great person and a mentor to many; I am thankful to have known him. He truly did represent the very best of our State. To Christina, his wife, and their wonderful family, John is forever in our hearts, and I would like to add his legacy to our June 20, 2017, Congressional Record.●

REMEMBERING HAROLD HAUGLAND

● Mr. TESTER. Mr. President, today I wish to honor the life and legacy of a brave Montanan and American, Harold Haugland.

Harold's story begins in Glendive, MT, where he was born in 1928 to Peter and Alma Haugland. Harold and his family were well known in the community for their compassionate hearts and unrelenting work ethic. Harold took these Montana values to the U.S. Army in 1949, where he quickly became a highly decorated soldier, receiving a number of medals and citations.

In late November 1950, Harold joined the Company D, 15th antiaircraft Artillery Battalion, 7th Infantry Division.

Two thousand five hundred U.S. and 700 South Korean soldiers were deployed east of the Chosin Reservoir in North Korea when they were engaged by an overwhelming number of Chinese forces. By early December, the U.S. Army evacuated approximately 1,500 wounded servicemembers; the remaining soldiers had been either captured or killed in enemy territory.

Because Harold could not be accounted for by his unit at the end of the battle, he was reported missing in action as of December 2, 1950. Harold's

name did not appear on any prisoner of war lists, and no returning soldiers reported him as a prisoner of war. The U.S. Army declared him deceased as of December 31, 1953.

In 1954, a number of remains were recovered from north of the Korean Demilitarized Zone. However, Harold's remains were not included and he was declared nonrecoverable. After his death, Harold was awarded the Distinguished Service Cross for his heroism and leadership.

During a joint recovery operation in 2004, Harold's remains were found in a mass grave on the eastern bank of the Chosin Reservoir in North Korea. Thanks to recent technological advancements in forensic science, the U.S. Department of Defense positively identified one of the individuals as Harold Haugland. After nearly 66 years, an American hero has been brought home to Montana for a full and proper military burial.

Harold represents the very best that this Nation has to offer with his profound bravery and dedication to service. Like many before him and after him, Harold paid the ultimate sacrifice to protect the freedoms that make the United States the greatest Nation in the world.

To Harold and his family, on behalf of myself, Montana, and a grateful nation, I extend our deepest thanks for Harold's service, sacrifice, and valor.●

REMEMBERING FRANK MCCAULEY

● Mr. TESTER. Mr. President, today I wish to honor an American hero.

Frank McCauley passed away last week peacefully in Hamilton, MT. Frank was the oldest living fighter pilot ace from World War II.

He originally joined the Army at the beginning of America's entry into the war, but quickly then turned to the Air Force where he discovered his passion and skill as one of our Nation's first fighter pilots.

Frank flew his P-47 fighter "Rat Racer" on 46 missions while supporting B-17 bombers in the European Theatre, and he is credited with shooting down five and a half Nazi aircrafts. For this he received a Silver Star, Distinguished Flying Cross, and four Air Medals.

In 2015, Frank and his family were flown to Washington, DC, and he was awarded the Congressional Gold Medal, the highest civilian honor that Congress can bestow on an individual for his service during World War II.

After leaving the Air Force, Frank had three sons—Craig, Kirk, and Kevin—and he built a life on the west coast with a successful career in the construction business. In 1974, Frank retired, married the love of his life, Bobbie, and moved to the Bitterroot Valley in western Montana.

It was in Montana where Frank and Bobbie enjoyed their retirement years by traveling in their motor home and organizing numerous parties for their friends, family, and neighbors.